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REMARKS

Claims 5, 8 and 10 are rejected, under 35 U.S.C. § 103(a), as being unpatentable over Stephenson et al. '264 (U.S. Patent No. 6,467,264) in view of Majneri '570 (U.S. Patent No. 2,526,570). The Applicant acknowledges and respectfully traverses the raised obviousness rejection in view of the above amendments and the following remarks.

The claims of the application relate to a switch for a vehicle transmission which comprises a number of switch cylinders, each of which have first and second switch chambers; a first switch cylinder supply line and a second switch supply line; a number of opening valves and a number of closing valves. The first switch chamber and the second switch chamber of each of the switch cylinders are each connected to the first switch cylinder supply line through a corresponding one of opening valves and to the second switch supply line through a corresponding one of the closing valves. The switch further comprises a ventilation supply line and an exhaust line. A first additional valve is connected between the ventilation supply line and the first switch cylinder supply line. A second additional valve connected between the ventilation supply line and the second switch supply line. A third additional valve connected between the exhaust line and the first switch cylinder supply line and a fourth additional valve that is connected between the exhaust line and the second switch supply line. The connections between one of the first switch cylinder supply line and the second switch supply line and the ventilation supply line and the exhaust line through the first, second, third and fourth additional valves may be selectively swapped, such that the function of an opening valve and the function of a corresponding closing valve may be selectively exchanged.

Stephenson et al. '264 relates to and describes a hydraulic circuit for controlling a pair of switch cylinders 16, 36 each of which supplies pressure for an independent function 12, 14. Each cylinder 16, 36 has a first switch chamber 18, 38 and a second switch chamber 19, 39. Each cylinder 16, 36 comprises its own circuit including a four valve bridge circuit connected

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between a pressure supply line 11 and a return line 28 line. The first first switch chambers 18, 38 and the second switch chambers switch chamber 19, 39 can each be connected to the pressure supply line 11 and the return line 28 through a specific configuration of the four valve bridge circuit.

It is apparent, therefore, that the hydraulic circuit of Stephenson et al. '264 is similar to a limited part of the switch circuit of the present invention. More specifically, the Stephenson et al. '264 circuit resembles that part of the present invention comprising the switch cylinders and the associated first and second supply lines and the opening and closing valves connecting the first and second switch chambers to the switch cylinder supply lines.

In fundamental distinction between the present invention as recited in the claims and the teachings of Stephenson et al. '264, Stephenson et al. '264 provides only a single hydraulic path between the hydraulic fluid source and drain and the valves of the four valve bridge circuit. The four valve bridge (the opening and closing valves as suggested by the Examiner) of each circuit is used to control pressurization in the chambers of a respective cylinder. In other words the four valve bridge connects the pressure source to one of the chambers of the respective cylinder based on its configuration to direct a flow of the pressurized fluid to the respective chamber.

In complete and fundamental contrast from the present invention, the Stephenson et al. '264 hydraulic circuit does not provide first and second switch supply lines between the source and drain of hydraulic pressure and the valves of the four valve bridge circuit and thus does not, and cannot, exchange the roles and functions of the valves of the four valve bridge circuit.

Stephenson et al. '264 further does not and cannot teach or suggest a valve circuit, such as that of the present invention, which is comprised of first, second, third and fourth additional valves connecting the first and second switch cylinder supply lines with a ventilation supply line and an exhaust line.

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As a consequence, the Stephenson et al. '264 hydraulic circuit does not, and cannot, allow the connections between one of the first switch cylinder supply line and the second switch supply line and the ventilation supply line and the exhaust line through the first, second, third and fourth additional valves to be selectively swapped so that a function of an opening valve and a function of a closing valve may be selectively exchanged.

Turning now to the prior art of Majneri '570, this reference relates to a mechanism for applying fluid pressure to wheel brakes of a vehicle. Majneri '570 teaches a pressure system having first and second pressure supplies 42, 43 and a respective pressure supply line 48, 53. Four valves 31, 37; 34, 40 functioning as two independent pairs of valves 31, 37 and 34, 40. The Examiner contends that Majneri '570 "discloses a hydraulic system which teaches the use of a second switch supply line (51, 53) and the four additional valves (31, 37, 34, 40) fluidly connected to the two actuators."

Majneri '570 may arguably teach a second supply line 51, 53 and four valves 31, 37, 34, 40 as suggested by the Examiner. However, none of the four valves 31, 37, 34, 40 can be manipulated to switch a flow of oil or a supply of pressure toward a pressure chamber from two different pressure supplies. That is Majneri '570 fails to teach a switch cylinder having a first switch chamber connected to a first switch cylinder supply line through one of the opening valves and a second switch supply line through another one of the closing valves. Majneri '570 further fails to teach a second switch chamber of the switch cylinder being connected to a first switch cylinder supply line through a further one of the opening valves and a second switch supply line through yet another one of the closing valves.

The Applicant avers that the references of Stephenson et al. '264 and Majneri '570 either alone or in combination fail to in any way teach, suggest, disclose or remotely hint that each of the chambers of the cylinders is connected to two different pressure supply lines via

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two different respective valves. As such, all of the raised rejections should be withdrawn at this time in view of the above amendments and remarks.

In order to emphasize the above noted distinctions between the presently claimed invention and the applied art, independent claim 8 of this application recites the features of "*the first switch chamber (10, 14, 18, 22) and the second switch chamber (12, 16, 20, 24) of each switch cylinder (2, 4, 6, 8) are each connected to the first switch cylinder supply line (74) through a corresponding one of opening valves (26, 30, 34, 38, 42, 46, 50, 54) and to the second switch supply line (76) through a corresponding one of the closing valves (28, 32, 36, 40, 44, 48, 52, 56)*". Independent claim 10 of this application recites the features of "*the connections between one of the first switch cylinder supply line (74) and the second switch supply line (76) and the ventilation supply line (58) and the exhaust line (60) through the first, second, third and fourth additional valves (62, 64, 66, 68) may be selectively swapped*". Such features are believed to clearly and patentably distinguish the presently claimed invention from all of the art of record, including the applied art.

As the distinction noted above have been previously claimed and considered, The Applicant respectfully contends that the above claims will not require and further search or consideration by the Examiner. As such that Applicant respectfully requests removal of the finality of the pending official action and believes that the pending claims are in condition for allowance.

If any further amendment to this application is believed necessary to advance prosecution and place this case in allowable form, the Examiner is courteously solicited to contact the undersigned representative of the Applicant to discuss the same.

In view of the above amendments and remarks, it is respectfully submitted that all of the raised rejections should be withdrawn at this time. If the Examiner disagrees with the Applicant's view concerning the withdrawal of the outstanding rejections or applicability of the

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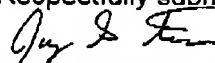
Stephenson et al. '264 and/or Majneri '570 references, the Applicant respectfully requests the Examiner to indicate the specific passage or passages, or the drawing or drawings, which contain the necessary teaching, suggestion and/or disclosure required by case law. As such teaching, suggestion and/or disclosure is not present in the applied references, the raised rejection should be withdrawn at this time. Alternatively, if the Examiner is relying on his/her expertise in this field, the Applicant respectfully requests the Examiner to enter an affidavit substantiating the Examiner's position so that suitable contradictory evidence can be entered in this case by the Applicant.

In view of the foregoing, it is respectfully submitted that the raised rejection(s) should be withdrawn and this application is now placed in a condition for allowance. Action to that end, in the form of an early Notice of Allowance, is courteously solicited by the Applicant at this time.

The Applicant respectfully requests that any outstanding objection(s) or requirement(s), as to the form of this application, be held in abeyance until allowable subject matter is indicated for this case.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,



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